IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

WP(C).No. 35182 of 2003(L)

PETITIONER:

R. SUBBARAMAN, NACHIYARS,
DOOR NO.XXVI/312, M.S. WARD,
ALLEPPEY-688 001.

BY ADV. SRI.K.JAGADEESCHANDRAN NAIR.

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE DISTRICT COLLECTOR, ALLEPPEY, KERALA STATE.

2. INDIAN OVERSEAS BANK, REPRESENTED BY GENERAL MANAGER, 792, ANNASALA, CHENNAI, TAMIL NADU.

***ADDL.R3. STATE OF KEALA, REP. BY THE SECRETARY, SC/ST DEVELOPMENT, GOVT. SECRETARIAT, TRIVANDRUM.**

***ADDL.R4. DIRECTOR OF KIRTADS, KOZHIKODE.**

***ADDL. R3 & R4 IMPLEADED AS PER ORDER DATED 07/06/2004 IN I.A. 5252/2004.**

BY GOVERNMENT PLEADER SRI. SANTHOSH,
ADV.SRI.GEORGE VARGHESE (MANACHIRACKEL).

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

W.P.(C) NO. 35182 OF 2003 L

Dated this the 19th day of February,2007

JUDGMENT

This Writ Petition is filed with the following prayers:

> "A. It may be declared that Ext.P3 is unassailable except under due process of law as provided in the Scheduled caste & Scheduled Tribe Regularisation of Issue of community certificates Act, 1996.
>
> B. By the issue of a writ of certiorari the records relating to Ext.P4 may be called for and examined and Ext.P4 may be quashed as without authority and passed in violation of the rules of natural justice."

Learned Special Government Pleader submits that the matter is under consideration by the scrutiny committee, pursuant to a show cause notice issued as early as on 22.8.2006. Learned counsel for the petitioner submits that only because of the pendency of the Writ Petition before this Court, the petitioner did not submit himself before the scrutiny committee. Since it is within the competence of the scrutiny

committee to scrutinies the caste status of the petitioner, this Writ Petition is disposed of making it clear that it will be open to the scrutiny committee to take appropriate action in accordance with law with notice to the petitioner. It is made clear that on receipt of such notice the petitioner will co-operate with the committee. It is further made clear that only subject to the final orders passed by the competent authority under Act 11 of 1996, any further action in the matter will be taken by the Bank.

(KURIAN JOSEPH)
Judge

ahz/

KURIAN JOSEPH,J.

W.P.(C)NO. OF

JUDGMENT

19th February, 2007